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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

MILLER et al.

Serial No.: 10/037,816

Filed: January 3, 2002


Confirmation No.: 6558

Atty. File No.: 50060-00048

For: "OFF AXIS OPTICAL SIGNAL  
REDIRECTION ARCHITECTURES"

) Group Art Unit: 2877  
)  
) Examiner: Geisel, Kara E.  
)  
)

**RESPONSE TO NOTICE OF NON-  
COMPLIANT AMENDMENT**

<p style="text-align: center;">CERTIFICATE OF MAILING</p> <p>I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 ON <u>December 17, 2004</u>.</p> <p style="text-align: center;">MARSH FISCHMANN &amp; BREYFOGLE LLP</p> <p>BY:  Lori Lane</p>
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

This paper is submitted in response to the Notice of Non-Compliant Amendment having a mailing date of November 22, 2004, with respect to the above-identified application. The "Amendments To The Claims" section of Applicant's Amendment and Response mailed on October 29, 2004, is being resubmitted in its entirety herewith. Although Applicant believes an extension of time is not needed, please consider this a petition for an extension of time under 37 C.F.R. 1.136(a) if an extension is necessary to maintain the pendency of the present application and charge the extension fee, if necessary, to Deposit Account No. 50-1419.

Amendments to the Claims are indicated in the listing of claims that begins on page 2 of this paper.